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MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 7, 2008

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THE CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, OCTOBER 7, 2008, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt
Russ Brooks
Carolynn Burt (Excused and left the meeting as noted)
Joel Coleman
Corey Rushton
Mike Winder

Paul Isaac, Acting City Manager
Sheri McKendrick, City Recorder

ABSENT: Steve Vincent

STAFF PRESENT:

Jim Welch, Finance Director
Richard Catten, City Attorney
Buzz Nielsen, Police Chief
Joseph Moore, CED Director
Russell Willardson, Public Works Director
Kevin Astill, Parks and Recreation Director
Layne Morris, Community Preservation Director
Stan Varney, Acting Fire Chief
Brent Garlick, CED Department
Nevin Limburg, CED Department
Craig Thomas, Administration
Mike Wells, Police Department
Kelly Simper, Parks and Recreation Director
Jake Arslanian, Public Works Department
Dale Ann Wright, Police Department
Sheila Buchei, Police Department
Marjorie Jones, Police Department
Kathy Gordon, Police Department
Albert Bruce Webb, Police Department
Jen Mayer, Police Department

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Kirsten Brown, Police Department
Ben Tippetts, Police Department
Janelle Laswell, Police Department
Linda Smith, Police Department
Betty Evans, Police Department
Seini Maafu, Police Department
Susan Wright, Police Department
Kent Jensen, Police Department
Lauren Christensen, Police Department
Kathleen McMaster, Police Department
Perenise Misa, Police Department
Kari Stone, Police Department
Derrek Buchei, Police Department

14227 **OPENING CEREMONY**

The Opening Ceremony was conducted by Carolynn Burt who read an excerpt from the book, “The Last Lecture” by Randy Pausch.

14228 **EMPLOYEE OF THE MONTH, SEPTEMBER 2008 – KELLY SIMPER,
PARKS & RECREATION DEPARTMENT**

Councilmember Burt read the nomination of Kelly Simper to receive the Employee of the Month award for September 2008.

The City Council congratulated Mr. Simper for receiving the award and for an outstanding job on behalf of West Valley City.

14229 **EAC QUARTERLY DIVISION AWARD – POLICE DEPARTMENT
RECORDS DIVISION**

Councilmember Brooks read a nomination and presented the EAC Quarterly Division Award to the Police Department Records Division.

The City Council congratulated the Police Department Records Division staff in attendance for receiving the EAC Quarterly Division award.

14230 **RECOGNITION OF OFFICER DALE ANN WRIGHT AS A RECIPIENT
OF THE FEDERAL HIGHWAY ADMINISTRATOR’S PUBLIC SERVICE
AWARD FOR HER EFFORTS AS A MEMBER OF THE NATIONAL
SAFE ROUTES TO SCHOOL TASK FORCE**

Mayor Nordfelt presented an award to Officer Dale Ann Wright for being a recipient of the Federal Highway Administrator’s Public Service Award for her efforts as a member of the National Safe Routes to School Task Force.

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The City Council congratulated Dale Ann Wright for receiving the Federal Highway Administrator's Public Service Award.

14231 **PROCLAMATION DECLARING OCTOBER 8, 2008, AS
"INTERNATIONAL WALK TO SCHOOL DAY" IN WEST VALLEY
CITY**

Councilmember Winder read a proclamation declaring October 8, 2008, as "International Walk to School Day" in West Valley City.

14232 **COMMENT PERIOD**

Upon inquiry by Mayor Nordfelt, the following individual addressed the City Council during the Comment Period:

Mike Markham, 3008 Alice Circle, addressed the City Council. Mr. Markham praised the City's Good Landlord Program and stated his neighborhood had seen positive results from the program.

14233 **PUBLIC HEARING, RECEIVE PUBLIC INPUT RELATING TO THE
ISSUANCE OF UP TO \$8,500,000 OF SALES TAX REVENUE BONDS
AND RELATED MATTERS**

Acting City Manager, Paul Isaac, stated a public hearing had been advertised in order for the City Council to hear and receive public input regarding the issuance of up to \$8,500,000 of Sales Tax Revenue Bonds to fund construction of a new Animal Shelter and Police Department Storage Facility.

Mr. Isaac advised the Council was required to hold a public hearing regarding this matter, however, no action would be taken by the City Council upon conclusion of that public hearing.

Mayor Nordfelt opened the public hearing. There being no one to speak either in favor or in opposition, Mayor Nordfelt closed the public hearing.

14234 **PUBLIC HEARING, APPLICATION NO. GP-2-2008, FILED BY WEST
VALLEY CITY, REQUESTING TO AMEND THE WEST VALLEY CITY
GENERAL PLAN TO INCORPORATE THE CITY'S QUALITY
GROWTH PRINCIPLES AND OBJECTIVES**

Acting City Manager, Paul Isaac, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. GP-2-2008, filed by West Valley City, requesting to amend the West Valley City General Plan to incorporate West Valley City's Quality Growth Principles and Objectives. He discussed proposed Ordinance No. 08-47 related to

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the Application to be considered by the City Council subsequent to the public hearing, as follows:

Mr. Isaac stated the proposed ordinance would establish Quality Growth Principles and Objectives based on the Wasatch Front Regional Council's (WFRC) and Mountainlands Association of Governments' (MAG) Quality Growth Principles and Objectives. He indicated West Valley City's Quality Growth Principles and Objectives had been established by the City Planning Commission as part of the City's General Plan. He stated West Valley City's Quality Growth Principles and Objectives would act as a framework to guide the further development of the City's General Plan Update, and should be used in conjunction with other elements of the General Plan to guide future land use decisions.

The Acting City Manager explained that since March, 2005, the WFRC and MAG, two regional metropolitan planning organizations, adopted nine Growth Principles and Objectives as part of the Wasatch Choices 2040 Transportation Plan. He indicated after WFRC and MAG conducted 13 public workshops held along the Wasatch Front, they developed growth principles that reflected considerable community input on environmental, economic, and quality of life issues.

Mr. Isaac advised the West Valley City Planning Commission had developed nine Growth Principles and Objectives, using the WFRC and MAG's Growth Principles and Objectives as a baseline. West Valley City's Quality Growth Principles and Objectives reflected the unique geographic and socioeconomic characteristics of West Valley City. The Quality Growth Principles and Objectives would continue to guide the update of the General Plan, and should be used with other General Plan elements to guide future land use decisions, and to guide current development activities in the City.

The Acting City Manager reported West Valley City's Growth Principles and Objectives were attached as Exhibit A to the issue paper. He stated Exhibit B listed the WFRC/MAG Quality Growth Principles and Objectives annotated with the Planning Commission's and City Council's recommended changes.

Acting City Manager, Paul Isaac, stated he had previously reviewed the City's proposed Growth Principles and Objectives summarized as follows:

1. **Provide public infrastructure that is efficient and adequately maintained.**

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- Promote redevelopment to better utilize existing infrastructure.
 - Optimize use and maintenance of existing infrastructure.
 - Promote compact development near transit consistent with market demand.
 - Encourage contiguous growth to reduce infrastructure expenses.
 - Develop long term funding sources for infrastructure development and maintenance.
 - Encourage cooperation and coordination in the use of transportation and utility corridors and rights-of-way.
2. **Provide regional mobility through a variety of interconnected transportation choices.**
- Develop a balanced, multi-modal transportation system.
 - Coordinate transportation with regional employment, housing, educational and activity centers.
 - Encourage future commercial and residential areas within close proximity of each other to reduce travel distances.
 - Encourage a balance of jobs and housing in each part of the region to reduce travel distances.
 - Support actions that reduce growth in per capita vehicle miles of travel.
3. **Integrate local land use with regional transportation systems.**
- Land use planning and decisions remain a function of local communities.
 - Preserve corridors for future infrastructure needs where legally defensible.
 - Make land use and transportation decisions based on a comprehensive understanding of their impact on each other.
4. **Provide housing for people in all life stages and incomes.**
- West Valley City's goal is to encourage the development of owner-occupied housing for a variety of income levels.
 - Consider providing an adequate supply of workforce housing near regional job centers.
 - Encourage land use and housing policies to accommodate the need for a variety of housing types throughout the region.

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- Encourage owner-occupied housing and other development near transit to maximize the efficiency of the public transportation system.
5. **Ensure public health and safety.**
- Encourage communities to develop transportation facilities that promote physical activity and healthy living.
 - Encourage accessibility of housing to other destinations to enable the routine use of walking and bike paths.
 - Promote water conservation initiatives within the City.
 - Promote interconnected streets to reduce travel distances.
 - Provide efficient police and emergency access.
 - Provide safe access to, and use of, all modes of transportation.
6. **Enhance the regional economy.**
- Improve mobility to foster a robust economy.
 - Use transportation investments and land use decisions to develop the local and regional economy.
 - Transportation and land use decisions should lead to improved quality of life to help retain and recruit businesses and labor.
 - Transportation and land use decisions should help keep our region an affordable place to live and do business.
7. **Promote regional collaboration.**
- Encourage collaboration among government, business education, civic and community organizations.
 - Coordinate development and maintenance of regionally significant utilities and transportation facilities.
 - Include a broad base of involvement in the planning process.
 - Coordinate local and regional planning efforts.
 - Promote the sharing of information and expertise.
 - Coordinate local and regional emergency services.
8. **Strengthen sense of community.**
- Promote paths to home ownership, to build and sustain long lasting, vibrant neighborhoods.

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- Preserve and enhance existing single-family neighborhoods.
- Preserve environmental, cultural, and historical assets.
- Promote unity and cohesiveness while valuing excellence and diversity.
- Avoid physically dividing neighborhoods.
- Use transportation to bolster town centers.

9. **Protect and enhance the environment.**

- Protect and enhance the natural environment.
- Enhance the aesthetic beauty of our built environment.
- Promote conservation of energy, water, and regionally significant critical lands.
- Develop techniques for sustainable water management.
- Promote innovative strategies to provide sustainable and renewable energy to the community.
- Enhance air and water quality.
- Encourage conservation of open space and irreplaceable natural resources in land use decisions.
- Create and enhance access to areas of natural beauty and recreation.
- Encourage community trails coordinated with regional/state trail systems.

Mayor Nordfelt opened the public hearing. There being no one to speak either in favor or in opposition, Mayor Nordfelt closed the public hearing.

ACTION: ORDINANCE NO. 08-47, ADOPTING WEST VALLEY CITY'S QUALITY GROWTH PRINCIPLES AND OBJECTIVES AS PART OF THE WEST VALLEY CITY GENERAL PLAN

The Council previously held a public hearing regarding Application No. GP-2-2008 and proposed Ordinance No. 08-47 which would adopt West Valley City's Quality Growth Principles and Objectives as part of the West Valley City General Plan.

After discussion, Councilmember Brooks moved to approve Ordinance No. 08-47, an Ordinance Adopting West Valley City's Quality Growth Principles and Objectives as Part of the West Valley City General Plan. Councilmember Winder seconded the motion.

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A roll call vote was taken:

Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

Mayor Nordfelt recessed the Regular Meeting at 6:55 P.M. and reconvened the Regular Meeting at 7:48 P.M.

Councilmember Burt was excused and left the meeting at 7:48 P.M.

14235

ORDINANCE NO. 08-48, ADOPT THE ECONOMIC DEVELOPMENT PROJECT AREA PLAN ENTITLED, “SOUTHWEST ECONOMIC DEVELOPMENT PROJECT AREA PLAN,” DATED JULY 1, 2008

Acting City Manager, Paul Isaac, presented proposed Ordinance No. 08-48 which would adopt the Economic Development Project Area Plan entitled, “Southwest Economic Development Project Area Plan,” dated July 1, 2008.

Mr. Isaac stated the Southwest Economic Development Area Plan and Budget had been adopted by resolution of the Redevelopment Agency Board after a public hearing held on October 7, 2008. He further stated the RDA Board and staff had met all legal requirements regarding formation of the Project and final action was now required by City Council to adopt the Plan by ordinance.

After discussion, Councilmember Rushton moved to approve Ordinance No. 08-48, an Ordinance of the City Council of West Valley City, State of Utah, Adopting the Economic Development Project Area Plan Entitled, “Southwest Economic Development Project Area Plan,” Dated July 1, 2008. Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Mr. Coleman	Yes
Mr. Winder	Yes
Mr. Rushton	Yes

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Mayor Nordfelt

Yes

Unanimous.

14236

RESOLUTION NO. 08-248, APPROVE A COOPERATIVE AGREEMENT BETWEEN WEST VALLEY CITY, THE UTAH DEPARTMENT OF TRANSPORTATION AND ROCKY MOUNTAIN POWER FOR THE PURPOSE OF BURYING OVERHEAD POWER FACILITIES ON 3500 SOUTH

Acting City Manager, Paul Isaac, presented proposed Resolution No. 08-248 which would approve a Cooperative Agreement between West Valley City, the Utah Department of Transportation (UDOT) and Rocky Mountain Power, in the amount of \$450,901.00, for the purpose of burying overhead power facilities on 3500 South.

Mr. Isaac stated that under Utah State law, UDOT and Rocky Mountain Power (RMP) each shared 50% of the cost of relocating power facilities located on State highways, whenever a widening project necessitated the relocation of these facilities. He indicated placing the power facilities underground was considered a betterment to be done at the City's expense. He further stated the total estimated cost to move and bury the power lines would be in the amount of \$953,168.00 with the cost of overhead relocation at \$502,718.00. He reported the difference between the two estimates, in the amount of \$450,901.00, would be the City's responsibility.

The Acting City Manager indicated the new agreement set participation ratios for the cost of moving the power lines and placing them underground. He indicated UDOT and RMP would each pay 26.36%. West Valley City's share would be 47.28%, or \$450,901.00, based on the estimated cost of the work.

Mr. Isaac stated the new arrangement would be more beneficial for the City. If costs exceeded the estimated amount, all three parties would share in the cost overruns at these same ratios. He indicated the old agreement called for the City to bear 100% of any costs above the estimated cost of overhead relocation.

The Acting City Manager reported the 3500 South project bid opening had taken place on September 16, 2008. He stated relocation of utilities and other preliminary work should begin this Fall.

After discussion, Councilmember Winder moved to approve Resolution No. 08-248, a Resolution Authorizing the Execution of a Cooperative Agreement

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between West Valley City, the Utah Department of Transportation and Rocky Mountain Power for the Purpose of Burying Overhead Power Facilities on 3500 South. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Mr. Coleman	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14237

RESOLUTION NO. 08-253, AWARD BID TO ONYX CONSTRUCTION, INC., TO PERFORM CONSTRUCTION OF THE NEW WEST VALLEY CITY ANIMAL SERVICES FACILITY

Acting City Manager, Paul Isaac, presented proposed Resolution No. 08-253 which would award a bid to Onyx Construction, Inc., in the amount of \$3,907,000.00, to perform construction of the new West Valley City Animal Services Facility.

Mr. Isaac stated a total of 10 bids had been received regarding the proposed facility, as follows:

Onyx Construction, Inc.:	\$3,907,000.00
Arnell West, Inc.:	\$4,157,852.00
Brubaker Construction, Inc.:	\$4,214,000.00
Hogan & Associates Construction:	\$4,380,000.00
Peck Ormsby Construction, Inc.:	\$4,469,000.00
Control, Inc.:	\$4,472,000.00
Calvin Wadsworth Construction Comp.:	\$4,500,000.00
Valley Design & Construction, Inc.:	\$4,559,000.00
Entelen Design Build LLC:	\$4,570,000.00
J. Lyne Roberts & Sons	\$5,322,000.00

The Acting City Manager stated Onyx Construction, Inc. had submitted the lowest responsible bid in the amount of \$3,907,000.00.

After discussion, Councilmember Coleman moved to approve Resolution No. 08-253, a Resolution Awarding a Bid to Onyx Construction to Perform the

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Construction of the New West Valley City Animal Services Facility.
Councilmember Winder seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Mr. Coleman	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14238

CONSENT AGENDA:

A. RESOLUTION NO. 08-249, ACCEPT AN UNDERGROUND UTILITY EASEMENT FROM WESLEY G. AND CAROLYNN C. BURT AT 3225 WEST 3500 SOUTH, 3500 SOUTH WIDENING PROJECT

Acting City Manager, Paul Isaac, presented proposed Resolution No. 08-249 which would accept an underground utility easement from Wesley G. and Carolynn C. Burt at 3225 West 3500 South regarding the 3500 South Widening Project.

Mr. Isaac stated Wesley G. and Carolynn C. Burt had signed the Underground Utility Easement.

B. RESOLUTION NO. 08-250, ACCEPT A SPECIAL WARRANTY DEED FROM THE BOARD OF EDUCATION OF THE GRANITE SCHOOL DISTRICT FOR PROPERTY LOCATED AT APPROXIMATELY 6051 WEST 6200 SOUTH

Acting City Manager, Paul Isaac, presented proposed Resolution No. 08-250 which would accept a Special Warranty Deed from the Board of Education of the Granite School District for property located at approximately 6051 West 6200 South.

Mr. Isaac stated the Special Warranty Deed had been signed by the Board of Education of the Granite School District.

The Acting City Manager reported the District was currently constructing the new Diamond Summit Elementary. He indicated as a condition of approval, education of a portion of 6200 South had been required. He

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stated the existing 6200 South was currently constructed and dedicated at a 40-foot half width. In accordance with the Major Street Plan and the Capital Facilities Plan this portion of 6200 South needed to be dedicated to a 53-half width, an additional 13.00 feet.

C. RESOLUTION NO. 08-251, ACCEPT A QUIT CLAIM DEED FROM THE BOARD OF EDUCATION OF THE GRANITE SCHOOL DISTRICT FOR PROPERTY LOCATED AT 3275 WEST 3100 SOUTH

Acting City Manager, Paul Isaac, presented proposed Resolution No. 08-251 which would accept a Quit Claim Deed from the Board of Education of the Granite School District for property located at 3275 West 3100 South.

Mr. Isaac stated the Quit Claim Deed had been signed by the Board of Education of the Granite School District.

The Acting City Manager reported the District was currently constructing a new addition to Hillsdale Elementary. As a condition of approval, dedication of a portion of 3100 South had been required. He stated the existing 3100 South had never been formally dedicated or conveyed to the City. He indicated 3100 South was currently constructed at a 40-foot half width. He also reported in accordance with the Major Street Plan and the Capital Facilities Plan this portion needed to be dedicated as a 40-foot half width.

D. RESOLUTION NO. 08-252, ACCEPT TWO GRANTS OF TEMPORARY CONSTRUCTION EASEMENT FROM THE BOARD OF EDUCATION OF THE GRANITE SCHOOL DISTRICT FOR PROPERTY LOCATED AT 3690 SOUTH 3600 WEST, 3600 WEST RECONSTRUCTION PHASE 2 PROJECT

Acting City Manager, Paul Isaac, presented proposed Resolution No. 08-252 which would accept two Grants of Temporary Construction Easements from the Board of Education of the Granite School District for property located at 3690 South 3600 West regarding the 3600 West Reconstruction Phase 2 Project.

Mr. Isaac stated the Board of Education of the Granite School District had signed the two Grants of Temporary Construction Easements.

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The Acting City Manager reported the subject parcel was one of the properties affected by construction of 3600 West from 3500 South to 4100 South. He also reported there were two separate Granite School District parcels with the same address and different parcel numbers. He stated compensation for the easements would be in the amount of \$200.00 each, which easements would automatically expire December 31, 2008.

After discussion, Councilmember Coleman moved to approve Resolution Nos. 08-249, 08-250, 08-251 and 08-252 as presented on the Consent Agenda. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Mr. Coleman	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, OCTOBER 7, 2008, WAS ADJOURNED AT 7:53 P.M., BY MAYOR NORDFELT.

I hereby certify that the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, October 7, 2008.

Sheri McKendrick, MMC
City Recorder

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